IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 109 OF 2007

Maharashtra Suraksha Rakshak &
Gr.Kamgar Union .....Petitioners.

vs.

Security Guards Board for Greater
Bombay & Thane Dist.& Ors. .....Respondents.

Mrs.Vaishali Bhilare for the petitioners.
Mr.M.S.Topkar for respondent no.1.
None for respondent Nos.2 and 3.

CORAM: J.N.PATEL, J And
S.C.DHARMADHIKARI, J.
DATED: 27TH FEBRUARY, 2007.

P.C.

1. Rule. Respondents waive service. By consent of learned Counsel for parties, taken up for hearing.

2. Petition filed by the Petitioner seeks relief in favour at the Security Guards whose names are shown at Exhibit A in accordance with the provisions of Maharashtra Private Security Guards (Registration of employment and welfare) Act, 1981 and the scheme framed thereunder Different Benches of this court, have been passing orders in such mattes. One such order has been passed in Writ Petition (Stamp) No. 4939 of 2002. Considering the said order, the following directions :_

A) The statement on behalf of learned Counsel for the Petitioner is accepted that they would make appropriate application for getting registration with the Board. Such an application will be made within ten days from today. The Board to consider the same and take an appropriate decision in accordance with law keeping in mind the provisions of the Act and the Scheme

as amended from time to time.

B) The respondent No.2 is also directed to apply for registration as required by law. Such an application should be made within ten days from today. On such application being made, the Board to take an appropriate decision thereon in accordance with law, and thereafter the Board to follow the provisions of the Act and the Scheme by supply Security Boards;

C) It is necessary to say that as far as possible while allotting the services of the Security Guards, the Board will keep in mind the fact that the Security Guards whose name are known at Exhibit ‘A’ were working with the second respondent. The Board to try to accommodate them as far as possible;

D) It is made clear that it is always open to the employer to directly engage the Guards in his employment.

3. Rule is made absolute in the above terms. No order as to costs.

sd/- sd/-

(S.C.DHARMADHIKARI,J) (J.N.PATEL, J)